

REMARKS

Initially, Applicant would like to thank the Examiner for allowing claims 14-20. Applicant respectfully submits that the remaining claims, claims 1-13 and 21-25, are likewise in condition for allowance.

In the above-referenced Official Action, the Examiner rejected claims 1, 4, 5, 8 and 21 under 35 U.S.C. § 103(a) as being unpatentable over LIU et al. (U.S. Patent No. 5,680,482) in view of TUCKER et al. (U.S. Patent No. 5,903,313) and STIFLE et al. (U.S. Patent No. 4,633,462). The Examiner rejected claims 9-13 and 24-25 under 35 U.S.C. § 103(a) as being unpatentable over LIU et al. in view of TUCKER et al., BOYCE et al. (U.S. Patent No. 5,635,985) and STIFLE et al. The Examiner has rejected claims 2, 3, 6, 7, 22 and 23 under 35 U.S.C. § 103(a) as being unpatentable over LIU et al., TUCKER et al. and STIFLE et al., and further in view of MALLADI (U.S. Patent No. 5,818,532). Applicant respectfully traverses these rejections, at least for the reasons stated below.

In the previous Response under 37 C.F.R. § 1.111, Applicants amended claims 1, 5, 9 and 12 to recite that a throttling amount is determined based on two measures: (i) a measure of computational processing power required to decode at least one bitstream of the video data and (ii) a measure of processing capability of the decoder. Similarly, claims 21 and 24 were amended to recite that processing and the number of inverse quantized and inverse DCT transformed coefficients, respectively, is reduced based on measured computational processing required to decode at least one bitstream of the video data and measured processing capabilities of the decoder.

In response, the Examiner again relied on LIU et al. as the primary reference in rejecting claims 1-13 and claims 21-25. The Examiner asserted that LIU et al. teach measuring processing power required to decode a bitstream of video data and measuring a decoder's processing capability. However, the Examiner admitted that LIU et al. do not disclose reducing computational processing of the decoder based on a throttling amount without requiring encoded throttling control data associated with the video data, or determining a throttling amount based on measuring processing power and decoder processing capability. Rather, LIU et al. only teaches measuring various parameters in order to allocate buffers. See Fig. 7, steps 372-374; col. 13, lines 55-59.

The Examiner therefore again relied on TUCKER et al. to teach reducing computational processing of video data based on a throttling amount. However, as acknowledged by the Examiner, TUCKER et al., only discuss reducing computational processing (e.g., throttling) based only on (ii) a measure of processing capability of the decoder, and do not teach reducing processing based on (i) a measure of computation processing power required to decode at least one bitstream.

The Examiner therefore additionally combined STIFLE et al. to teach determining a throttling amount based on (i) a measure of computational processing power required to decode at least one bitstream of the video data. However, the "throttling" discussed by STIFLE et al. relates to the timing of retransmitting a reverse channel signal from a remote subscriber in a CATV environment whenever the originally transmitted signal collides with a reverse

channel signal from another remote subscriber. However, such “throttling” is not related to reducing computation processing of a decoder. The signal in STIFFLE et al. is retransmitted repeatedly, if necessary, after respectively determined sequential delays. The length of these delays can be “throttled” to attempt to avoid future collisions involving the retransmitted signals, thereby stabilizing the system. See col. 4, lines 53-57. In other words, STIFLE et al. teach determining a throttling amount for adjusting a delay time for retransmitting data, not for controlling computation processing requirements of the decoder, as in the claimed embodiment of the present invention.

The Examiner argued that regulating the retransmission of data, according to STIFLE et al., requires processing power so as to eliminate the overhead bandwidth. The relevance of this statement to the features of the pending claims, even if true, is not apparent, as determining a throttling amount based on collision avoidance does not teach determining a throttling amount based on a measure of computational processing power required to decode a bitstream of video data, which is the feature that was admittedly not taught by the combination of LIU et al. and TUCKER et al. Likewise, altering the timing of data retransmission based on a throttling amount does not teach reducing computational processing based on a throttling amount. Furthermore, because STIFLE et al. do not address adjusting processing requirements, there is no motivation whatsoever to combine STIFLE et al. with either LIU et al. or TUCKER et al.

Accordingly, no combination of LIU et al., TUCKER et al. and STIFLE et al. teach or suggest the combinations of features of the invention recited in claims 1, 5, 6, 12, 21 and 24. Accordingly, Applicant respectfully submits that independent claims 1, 5, 9, 12, 21 and 24 have been shown to be allowable. With regard to claims 2-4, 6-8, 10-11, 13, 22-23 and 25, Applicant asserts that they are allowable at least because they depend from allowable independent claims 1, 5, 9, 12, 21 and 24, respectively.


Further, the other references cited by the Examiner do not teach or suggest the deficiencies discussed above. For example, the Examiner only relied on BOYCE et al. to teach reducing a number of coefficients in an inverse DCT. The Examiner only relied on MALLADI to teach limiting decoder functions. Therefore, neither BOYCE et al. nor MALLADI overcomes the deficiencies of the primary and secondary references.

In view of the herein contained amendments and remarks, Applicant respectfully requests reconsideration and withdrawal of previously asserted rejections set forth in the Official Action, together with an indication of the allowability of all pending claims, in due course. Such action is respectfully requested and is believed to be appropriate and proper.

Should the Examiner have any questions concerning this Reply or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,

William Brent WILSON


Bruce H. Bernstein
Reg. No. 29,027

William Pieprz
Reg. No. 33,630

August 22, 2005
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191